

Patent  
Serial No. 09/994,446  
Agilent Docket No. 10004017-1

### **REMARKS**

#### ***Remaining Claims***

Forty-one (41) claims (Claims 1 - 41) remain pending in this application through this Amendment. Claims 1, 10 and 28 have been amended by the amendment being filed herewith.

#### ***Allowable Subject Matter***

The Applicant wishes to thank the Examiner for recognizing the allowable subject matter of allowed claims 19 – 27 and 33 – 36 and of objected-to claims 1 – 18, 28 – 32 and 37 - 41.

#### ***CLAIM OBJECTIONS***

Claims 1 – 18, 28 – 32 and 37 - 41 are objected to on grounds that limitations recited in the claims are not consistent with what is disclosed in the specification. Specifically, the Examiner states that the limitation of each sampler sampling a portion of the input data signal corresponding to a transition and a portion of the input data signal corresponding to data, is not consistent with the specification. The Applicant respectfully disagrees.

As shown in Fig. 1, the sampler 4 samples at the following points in the signal: D0, T2, D3 and T5. Although the examiner is correct that T2 is not a transition due to the fact that the signal remains high for two clock cycles, T5 is a transition, and D0 and D3 are data. Therefore, the claims are consistent with the drawings and the specification. The claim language does not require that the sampler obtain a sample of a transition at any particular time. The claim language only requires that each sampler obtain a sample of a transition at some point in time and a sample of data at some point in time. Therefore, the claims are consistent with the drawings and the specification. Accordingly, the Applicants respectfully request that this objection be withdrawn.

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**CLAIM REJECTION UNDER 35 U.S.C. §112**

The Examiner has rejected claims 1 – 18, 28 – 32 and 37 – 41 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner states that the specification does not provide support for the claim language “the portion of the input data signal corresponding to data being in between two consecutive transitions of the input data signal”. The Applicant respectfully disagrees.


With reference again to Fig. 1, it is clear that the portion of the input data signal that corresponds to data is in between consecutive transitions. First of all, the waveform 3 shown in Fig. 1 is only a small portion of an actual signal and is illustrated only for exemplary purposes and to demonstrate the manner in which the invention performs sampling. However, the Applicant respectfully submits that it is abundantly clear from this drawing that the portion of the input data signal that corresponds to data is in between consecutive transitions. For example, sample D3 occurs between transitions T3 and T4. Sample D2 occurs between transitions T1 and T3. Sample D4 occurs between transitions T4 and T5. Sample D1 occurs between transitions T1 and T3. The point of the claim language referred to is to distinguish between portions of the data signal that correspond to data and portions that correspond to transitions. The Applicants respectfully submit the claim language does this, and complies with 35 U.S.C. §112, first paragraph. Nevertheless, claims 1, 10 and 28 have been amended to further clarify this language that distinguishes between portions of the signal that correspond to data and portions that correspond to transitions. Accordingly, the Applicant respectfully requests that this rejection be withdrawn.

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**CONCLUSION**

For the reasons set forth above, it is respectfully submitted that all pending claims are now in condition for allowance, and Applicant requests a Notice of Allowance be issued in this case. Should there be any further questions or concerns, the Examiner is urged to telephone the undersigned to expedite prosecution.

Respectfully submitted,  
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